

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:18-cv-00183-MOC

**SANDRA W. PATE,**

Plaintiff,

Vs.

**NANCY A. BERRYHILL,**

Defendant.

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ORDER

**THIS MATTER** is before the Court on plaintiff's Consent Motion for Attorney Fees Under the Equal Access to Justice Act ("EAJA") and Costs. Review of the motion and related court filings reveals that the parties have agreed that counsel for plaintiff should be paid the sum of \$7,000.00 in attorney fees in full and final settlement of all claims due against the Social Security Administration. Pursuant to its authority under the EAJA, 28 U.S.C. § 2412(d)(1)(A), to award fees and other expenses to a prevailing party other than the United States incurred by that party in a civil action against the United States, the Court enters the following Order

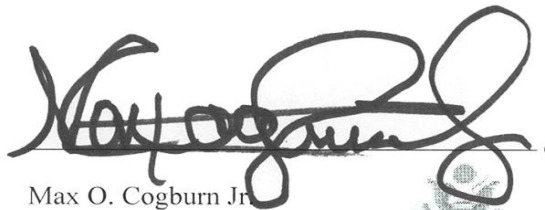
**ORDER**

**IT IS, THEREFORE, ORDERED** that plaintiff's Consent Motion for Fees under the Equal Access to Justice Act (#13) is **GRANTED**, the United States Social Security Administration shall pay a total of \$7,000.00 in full satisfaction of any and all attorney's fee claims plaintiff may have in this case under EAJA.

Pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 560 U.S. 586 (2010), the ordered fee award will be subject to offset of any debt plaintiff may owe to the United States. The Commissioner will determine whether plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to plaintiff and mailed to plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that plaintiff does not owe a federal debt, the government will honor an assignment of EAJA fees, and pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

**IT IS FURTHER ORDERED** that plaintiff shall be paid \$420.01 in costs from the Judgment Fund by the United States Department of the Treasury pursuant to 28 U.S.C. § 2412(a)(1).

Signed: February 4, 2019



Max O. Cogburn Jr.  
United States District Judge